

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

FILED
11/20/20 4:58 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In Re: : Case No. 20-20254 GLT
: :
Ahna L. Johnston, : Chapter 13
: :
Debtor, : Document No. 39
: :
Ahna L. Johnston, :
: :
Movant, :
: :
vs. :
: :
No Respondents. :

CONSENT ORDER TO APPROVE POST
PETITION AUTOMOBILE FINANCING

AND NOW COMES the Debtor, Ahna L. Johnston, by her counsel, Zebley Mehalov & White, P.C. and Daniel R. White, Esquire, and Chapter 13 Trustee, Ronda J. Winnecour, by her counsel, Kate DeSimone, and files the within Consent Order to Approve Post Petition Automobile Financing representing as follows:

1. This Consent Order is being sought on an emergency basis as Debtor's vehicle, a 2012 Kia Optima, was totaled in an accident on October 27, 2020. This vehicle is necessary to travel to Debtor's employment.
2. Movant is the Debtor in this Chapter 13 Bankruptcy proceeding having filed a Voluntary Chapter 13 petition on January 23, 2020.
3. The Debtor has a proposed Chapter 13 plan dated January 23, 2020, which provides for a distribution to unsecured creditors with a plan payment of \$1,180.00 per month.
4. The Debtor has paid the Trustee over \$10,600.00 to date, and payments are being remitted to the Chapter 13 Trustee as direct payments and wage attachment by Debtor. Debtor is in month 10 of a 60 month plan and her plan payments are current.
5. The Debtor is seeking secured financing in order to purchase an automobile to replace Debtor's 2012 Kia Optima.

Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Debtor's *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) the total amount of financing shall not exceed \$25,000.00 and interest rate should not exceed 20%; and
 - (b) the monthly payments made under the financing agreement **shall not exceed** \$500.00/per month.
- 2. To the extent that Debtor secures financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:
 - (a) an amended chapter 13 plan; and
 - (b) a report of financing.
- 3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
- 4. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to the POSTPETITION AUTOMOBILE LENDER for the contract amount so long as sufficient supplemental funds are provided by Debtor.
- 5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the POSTPETITION AUTOMOBILE LENDER.
- 6. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

ZEBLEY MEHALOV & WHITE, P.C.

/s/ Daniel R. White

Daniel R. White
PA I.D. No. 78718
P.O. Box 2123
Uniontown, PA 15401
Telephone: 724-439-9200
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Attorney for Debtor
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OFFICE OF THE CHAPTER 13 TRUSTEE

/s/ Kate DeSimone

Kate DeSimone, Esquire
U.S. Steel Tower-Suite 3250
600 Grant Street
Pittsburgh, PA 15219
412-471-5566
Counsel for Chapter 13 Trustee

Prepared by: Daniel R. White, Esquire

Dated: November 20, 2020



Honorable Gregory J. Taddonio hct
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:
Debtor(s)
Counsel for Debtor(s)
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

In re:
Ahna L. Johnston
Debtor(s)

Case No. 20-20254-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 23, 2020

User: culy
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 25, 2020:

Recip ID	Recipient Name and Address
db	+ Ahna L. Johnston, 410 Market Street, Belle Vernon, PA 15012-1245

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 25, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Daniel R. White	on behalf of Debtor Ahna L. Johnston zmwchapter13@gmail.com gianna@zeblaw.com;sheila@zeblaw.com;r63228@notify.bestcase.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 5